



1-14-02

238 GP1641

#10

PATENT
ATTORNEY DOCKET NO. 03848-00093

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

In re Application of:

Janet A. Warrington et al.

Serial No.: 09/950,016

Filed: September 10, 2001

For: METHODS FOR DETECTING AND
DIAGNOSING ORAL CANCER

Examiner:

Group Unit: 1641

JAN 18 2002

TECH CENTER 1600/2900

#10/A
Plunkett
5/23/02Assistant Commissioner for Patents
Box Non-Fee Amendment
Washington, D.C. 20231PRELIMINARY AMENDMENT

Preliminary to examination, kindly amend the above-referenced application as follows.

In the Specification:

On page 1, after the title, please insert the following paragraph:

--STATEMENT OF GOVERNMENT INTERESTSA1
This invention was made with Government support under NIH Grant No. P30DE011814 awarded by the National Institutes of Health Grant and the government has certain rights to the invention.--

At page 1 after the above-entitled paragraph "STATEMENT OF GOVERNMENT INTERESTS," please add the following paragraph:

Express Mail Receipt No: EL 883595474 US

EL883595474US

--RELATED APPLICATIONS

The present application claims priority to U.S. Provisional Application No. 60/231,057,
filed on September 8, 2000, which is hereby incorporated herein by reference.--

In the Claims:

Beginning with claim 30, filed as second claim 29, the claims have been misnumbered.

Please renumber second claim 29 as claim 30; claim 30 as claim 31; claim 31 as claim 32;
second claim 31 as claim 33; claim 32 as claim 34; claim 33 as claim 35; and claim 34 as claim
36. In addition, in newly numbered claims 33 and 34, replace "claim 30" with --claim 31-- as
follows:

30. The method of claim 28 wherein the altered expression is a lower level of expression.

31. The method of claim 28 wherein the altered expression is a higher level of
expression.

32. A method of selecting a composition for inhibiting oral cancer in a subject, the
method comprising:

obtaining a sample comprising cells from the subject;

separately maintaining aliquots of the sample in the presence of a plurality of test

compositions;

comparing expression of at least one marker selected from a group of markers associated
with oral cancer in each of the aliquots, and

selecting one of the test compositions which induces an altered level of expression of the
marker in the aliquot containing that test composition, relative to other test compositions.

33. The method of claim 31 wherein the altered level of expression is a lowered level of expression.

34. The method of claim 31 wherein the altered level of expression is a higher level of expression.

35. A kit for assessing whether a subject is afflicted with oral cancer, wherein the kit comprises reagents for assessing expression of at least one marker selected from the group markers associated with oral cancer.

36. A kit for assessing the presence of oral cancer cells, the kit comprising a nucleic acid probe wherein the probe specifically binds with at least one nucleic acid corresponding to at least one marker selected from the group of markers associated with oral cancer.

Applicants respectfully request entry and consideration of the amendments.

Respectfully submitted,

Dated: January 10, 2002

By: 

John P. Iwanicki, Registration No. 34,628
Banner & Witcoff, Ltd.
28 State Street, 28th Floor
Boston, MA 02109
Telephone (617) 227-7111